

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|------------------------|---|---------------------|
| ORLANDO GAITAN, | : | |
| <i>Plaintiff,</i> | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| SEPTA, | : | No. 16-6193 |
| <i>Defendant.</i> | : | |

ORDER

AND NOW, this 29th day of November 2017, upon consideration of the Defendant's Motion for Summary Judgment (Doc. Nos. 8, 9, 10, & 11), the Statement of Undisputed Facts (Doc. No. 12), the Memorandum of Law in Opposition (Doc. No. 13), the Amended Statement of Undisputed Facts (Doc. No. 15), the Response to Plaintiff's Statement of Undisputed Facts (Doc. No. 19), the Plaintiff's Deposition Testimony As Mentioned in Defendant's Motion for Summary Judgment (Doc. No. 20) and oral argument held on November 15, 2017, it is hereby **ORDERED** that the Motion for Summary Judgment (Doc. Nos. 8, 9, 10, & 11) is **GRANTED IN PART** and **DENIED IN PART** as outlined in the Court's November 29, 2017 memorandum.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE